

Suggested Remarks
Gerardo A. Porta, USAID/OEDG
Conference on Arbitration
Intercontinental Hotel, Makati City
March 23, 2006, 8:30 a.m.

Justice Ameurfina Herrera, Chancellor,
Philippine Judicial Academy

Honorable Members of the Philippine
Judiciary, friends and colleagues in
development, ladies and gentlemen

Magandang umaga po sa inyong lahat.

I am delighted to join you this morning for
this Conference on Arbitration, and I
congratulate the Philippine Judicial Academy
for organizing this important event. We are
grateful that the Kuala Lumpur Regional
Center for Arbitration, the Chartered
Institute for Arbitration, and arbitration
experts here in the Philippines have agreed
to share their expertise with all of us.

I also wish to recognize the participating executive judges, vice executive judges, and commercial court judges in Metro Manila for taking time off their benches to learn more about arbitration as an alternative dispute resolution (ADR) mechanism.

The U.S. Government in the Philippines is carrying out a broad range of programs with our Philippine partners to promote more sustainable and equitable growth. USAID's Economic Development and Governance Program supports improvements in judicial efficiency, improvements in government policy and administration, and promotion of innovations in trade and investment.

USAID has a long history of collaboration with The Asia Foundation in working with the Philippine judiciary to improve judicial efficiency. Over the course of that collaboration, we have seen the Philippine government and the judiciary effect several landmark reforms to institutionalize alternative dispute resolution (ADR)

processes as a means of decongesting court dockets and improving the efficiency of the courts. I would now like to highlight a few noteworthy achievements.

In April 2004, Republic Act 9285, otherwise known as the Alternative Dispute Resolution Act of 2004, was signed into law. The law mandated the use of settlement mechanisms such as mediation, conciliation, arbitration, early neutral evaluation and mini-trial to provide quick and impartial settlements of dispute as well help decongest the dockets.

Under the leadership of the Philippine Judicial Academy (PhilJA), more than 600 mediators involved in the lower courts, the Court of Appeals and the Department of Justice were trained. In 2004 alone, more than 20,000 cases in the lower courts were referred to mediation under the court-annexed mediation program. Of the 7,600 cases that have already completed the mediation process, 82% or more than 6,200 cases were successfully settled. And we

understand that the numbers are increasing with its expansion to several areas of the country and with PhilJA's efforts to sustain its ADR initiatives.

Consistent with the spirit of the ADR Law of 2004 and initiatives of the Philippine Government to promote ADR, the USAID-funded Legal Accountability and Dispute Resolution (LADR) Project of the The Asia Foundation also secured the commitment of 9 leading business organizations to mediate rather than litigate. In this connection, LADR trained more than 100 business mediators and helped establish business ADR units in Metro Manila and other key cities. In a few months of operation, business mediators have mediated 120 cases with a success rate of 89% (107 cases were settled).

We also understand that the value of ADR as an alternative paradigm to traditional litigation is already beginning to take root in the law academe as institutions attempt to incorporate ADR in the law school curriculum, integrate mediation curriculum

and training programs, and focus on pedagogy and research.

Today, PhilJA has undertaken another important step in promoting ADR through arbitration, particularly in commercial transactions which typically assume international dimensions but may have implications in Philippine court litigation.

To our esteemed judges, may the substantive input of this conference prove worthy of your precious time and motivate you to find practical applications in your judicial work.

With all your dedication and commitment, USAID is confident that your efforts will contribute not only to sustainable improvements in judicial efficiency, but also to economic development and good governance.

Maraming salamat po at mabuhay tayong lahat.